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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/099,665	03/15/2002	Sharon Carnevale	38687-237003	2975

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EXAMINER
WOOD, KEVIN S

ART UNIT	PAPER NUMBER
2874	

DATE MAILED: 09/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/099,665	Applicant(s) CARNEVALE ET AL.	
	Examiner Kevin S Wood	Art Unit 2874	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18 and 21* is/are rejected.

7)☒ Claim(s) *19 and 20* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *15 March 2002* is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

Brian Healy
Primary Examiner

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-18 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0015563 to Murakimi et al.

Referring to claim 1, Murakimi et al. discloses all the limitations of the claimed invention. Murakimi et al. discloses an optical connecting article, including: a main body comprising: a flexible substrate (42); and a plurality of optical fibers mounted so as to lie in a common plane upon the substrate, the optical fibers (2) arranged in a plurality of groups proximate an edge of the substrate with each group including at least one optical fiber, the optical fibers of a first group extending toward the optical fibers of a second group; and a plurality of legs (43) extending outwardly from the edge of the main body, each leg comprising the optical fibers of a respective group and a matrix material for binding the optical fibers of the respective group together, the legs disposed in a stacked configuration in which at least one leg overlies another leg such that at least

one leg lies at least partially outside of the common plane. See Fig. 12 through Fig. 15, along with their respective portions of the specification.

Referring to claim 2, Murakimi et al. discloses all the limitations of the claimed invention. Murakimi et al. discloses the plurality of groups of optical fibers extend in a parallel, spaced apart arrangement across a portion of the flexible substrate (32), and where in the second group of optical fibers over lies the first group of optical fibers while the first group of optical fibers is supported by the flexible substrate. See Fig. 12 and its respective portion of the specification.

Referring to claims 3 and 4, Murakimi et al. discloses all the limitations of the claimed invention. Murakimi et al. discloses that connectors (6,33) are mounted upon respective groups of the optical fibers (43) proximate an edge of the main body.

Referring to claim 5, Murakimi et al. discloses all the limitations of the claimed invention. Murakimi et al. discloses the matrix material of at least one leg comprises a coating such that the respective leg (43) is independent of the flexible substrate.

Referring to claim 6, Murakimi et al. discloses all the limitations of the claimed invention. Murakimi et al. discloses an optical connecting article, including: a main body comprising: a flexible substrate (42); and a plurality of optical fibers mounted upon the substrate, the optical fibers (2) arranged in a plurality of groups proximate an edge of the substrate with each group including at least one optical fiber; and a plurality of legs (43) extending outwardly from the edge of the main body in a stacked configuration in which at least one leg overlies another leg, each leg comprising the optical fibers of a respective group and a matrix material for binding the optical fibers of the respective

group together, the matrix material of at least one leg comprising a coating such that the respective leg is independent of the flexible substrate. See Fig. 12 through Fig. 15, along with their respective portions of the specification.

Referring to claim 7, Murakimi et al. discloses all the limitations of the claimed invention. Murakimi et al. discloses that connectors (6,33) are mounted upon respective groups of the optical fibers (43) proximate an edge of the main body.

Referring to claim 8, Murakimi et al. discloses all the limitations of the claimed invention. Murakimi et al. discloses that each optical fiber extends from a respective first end upon which the first fiber optic connector (6,33) is mounted, across the flexible substrate (32,42) to an opposed second end, and wherein the optical circuit further comprises a plurality of second fiber optic connectors (6,33) mounted upon the second ends of the optical fibers (2) of respective groups.

Referring to claim 9, Murakimi et al. discloses all the limitations of the claimed invention. Murakimi et al. discloses the plurality of groups of optical fibers extend in a parallel, spaced apart arrangement across a portion of the flexible substrate (32), and wherein the optical fibers (2) of one group extend toward the optical fibers (2) of another group while each group of optical fibers is supported by the flexible substrate. See Fig. 12 and its respective portion of the specification.

Referring to claim 10, Murakimi et al. discloses all the limitations of the claimed invention. Murakimi et al. discloses the groups of optical fibers (2) that extend towards the other group of optical fibers separates from the flexible substrate (32) and transitions so as to overlie the other group of optical fibers while the other group of

optical fibers is supported by the flexible substrate. See Fig. 12 and its respective portion of the specification.

Referring to claim 11, Murakimi et al. discloses all the limitations of the claimed invention. Murakimi et al. discloses an optical connecting article, including: a main body comprising: a flexible substrate (42); and a plurality of optical fibers (2) mounted upon the substrate and arranged in a plurality of groups proximate an edge of the substrate with each group including at least one optical fiber; and a plurality of legs including first (43), second (43) and third (43) legs extending outwardly from the edge of the main body, each leg comprising the optical fibers (2) of a respective group and a matrix material for binding the optical fibers of the respective group together, the legs disposed in a stacked configuration in with the first and second legs transitioning so as to overlie the third leg at different locations. See Fig. 12 through Fig. 15, along with their respective portions of the specification.

Referring to claim 12, Murakimi et al. discloses all the limitations of the claimed invention. Murakimi et al. discloses the matrix material of at least the first and second legs comprises a coating such that the respective leg (43) is independent of the flexible substrate (42). See Fig. 12 or Fig. 14.

Referring to claim 13, Murakimi et al. discloses all the limitations of the claimed invention. Murakimi et al. discloses the plurality of groups of optical fibers extend in a parallel, spaced apart arrangement across a portion of the flexible substrate (32), and wherein the optical fibers (2) of one group extend toward the optical fibers (2) of another

group while each group of optical fibers is supported by the flexible substrate. See Fig. 12 and its respective portion of the specification.

Referring to claim 14 and 15, Murakimi et al. discloses all the limitations of the claimed invention. Murakimi et al. discloses that each optical fiber extends from a respective first end upon which the first fiber optic connector (6,33) is mounted, across the flexible substrate (32,42) to an opposed second end, and wherein the optical circuit further comprises a plurality of second fiber optic connectors (6,33) mounted upon the second ends of the optical fibers (2) of respective groups.

Referring to claim 16, Murakimi et al. discloses all the limitations of the claimed method. Murakimi et al. discloses a method of fabrication an optical circuit including: providing a main body comprising a flexible substrate (32,42) and a plurality of groups of optical fibers (2) proximate an edge of and adhered to the flexible substrate, each group including at least one optical fiber; positioning a first group of optical fibers (2) so as to overlie a second group of optical fibers; and coating the first group of optical fibers with a matrix material once the first group of optical fibers is positioned to overlie the second group of optical fibers. See Fig. 12 through Fig. 18, along with their respective portions of the specification.

Referring to claims 17, 18 and 21, Murakimi et al. discloses all the limitations of the claimed method. Murakimi et al. discloses securing the first and second groups of optical fibers relative to one another after positioning the first group of optical fibers to overlie the second group of optical fibers, and releasing the first and second groups of

optical fibers after coating at leas the first group of optical fibers with the matrix material. See Fig. 12 through Fig. 18, along with their respective portions of the specification.

Allowable Subject Matter

3. Claims 19 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter:

Referring to claim 19, the prior art does not disclose all the limitations of the claimed method. The prior art does not disclose the attaching of the first and second groups of optical fibers to opposite sides of an adhesive coated spacer while coating at least the first group of optical fibers with a matrix material, and the removing the spacer after coating at least the first group of optical fibers with the matrix material.

Referring to claim 20, the prior art does not disclose all the limitations of the claimed method. The prior art does not disclose the coating of the first group of optical fibers includes the spraying a coating of the matrix material onto the first group of optical fibers.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin S Wood whose telephone number is (703) 605-5296. The examiner can normally be reached on Monday-Thursday (7am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney B Bovernick can be reached on (703) 308-4819. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 307-0956.

KSW

Brian Healy
Primary Examiner